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Annex 4

DRAFT STANDARDIZATION OF THE FORMAT OF THE MODALITIES OF COMMUNICATIONS BETWEEN PROJECT PARTICIPANTS AND THE BOARD**A. Background**

1. In consideration of existing definitions of Modalities of Communication (MoC) and related concepts as contained in the Glossary of CDM Terms, and as a complement to current established procedures, this guidance on modalities of communication is intended to provide further clarification in relation to operational issues and to set out a standard format for the presentation and management of changes to the MOC document. The concepts, procedures and form provided below will be revised as deemed appropriate by the CDM Executive Board (hereinafter referred to as the Board) in order to reflect the evolution of systems, risk management processes and best practices in this area.

Definition of terms:

2. ***Focal point*** is defined as an entity, or entities, nominated through the modalities of communication by all project participants to communicate with the Board and the secretariat in relation to some or all of the scopes of focal point authority (as described in paragraph 4 below). Any change to focal point roles shall be agreed by all project participants and will only be effected through a revised version of the modalities of communication.

3. ***Authorised signature*** is defined as the person who represents the focal point entity and whose signature and contact details are to be registered in the MoC statement for any communication with the Board and the secretariat. This signing authority will be registered in physical format initially and in electronic format when available. The secretariat will perform the required due diligence and authentication process for each authorised signature.

4. ***Scope of focal point authority***: A focal point can be conferred the authority to:

- (a) Communicate on any matter for registration and issuance purposes; and/or,
- (b) Communicate in relation to requests for forwarding of CERs to individual accounts of project participants; and/or,
- (c) Communicate in relation to requests for addition and/or voluntary withdrawal of project participants.

Separate entities can be nominated for each scope of authority either in a sole or joint focal point role. One or more entities can be nominated as focal point for each scope of authority. In case more than one entity is nominated as a focal point for a given scope of authority, project participants shall state whether a joint or single signature will suffice.

5. ***Sole focal point***: A focal point role granted to one entity on some or all of the scopes of authority, and whose certified signature is sufficient to effect any instruction from this entity.

6. ***Joint focal point***: A focal point role shared by two or more entities on some or all of the scopes of authority. All the authorised signatures of the entities nominated as focal points for the corresponding scope of authority will be required.



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7. **Signature** is defined as an agreed means of certification of an MoC statement by a project participant. It may be either an authenticated handwritten signature, accompanied with a company seal or stamp if appropriate, or a cryptographic electronic signature enrolled in the CDM Information System.

8. **Due diligence process** is defined as a process whereby personal or corporate identity is established and means of signature are registered for CDM related communications. This process is to be performed by DOEs for all new entities entering as project participants at the point of requesting registration. In the case of registered projects, the secretariat will perform this process on entities requesting registration as project participants in accordance with the MoC in force.

B. Structure and contents of a statement of Modalities of Communication

9. A statement of modalities of communication shall incorporate the following provisions:

- (a) Title of the CDM project activity (and ID number if available);
- (b) Date of submission;
- (c) List of all project participants;
- (d) Clear designation of focal point for each scope of authority as described in paragraph 6 above;
- (e) Contact details and specimen signature of each focal point and signing authority;
- (f) Signatures (physical or electronic, when the latter is available) of all project participants confirming their agreement to the terms of the statement of modalities of communication.

The form F-CDM-MOC (annex to this document) is to be introduced and implemented in order to facilitate the standardization of the format for the presentation of statements of modalities of communication.

10. The Board considers that neither itself nor the secretariat has the authority or responsibility to enforce private contractual obligations arising from the sale and buying of CERs and thus, such instructions shall not be included in an MoC statement. Honouring such contractual obligations is the sole responsibility of the registered project participants and nominated focal points.

11. **Changes to the MoC:** Modifications to the nomination of focal point or to the list of entities participating in the project are considered to be reasons for changing the MoC. In case any of these modifications be needed, project participants should express their agreement by submitting a new F-CDM-MOC form which is to be signed by the signing authority from each project participant. Electronic signatures will have the same value in order to effect such changes once the form is available electronically.

12. **For projects requesting registration:** Project participants shall complete an MoC form (F-CDM-MOC) which shall be submitted by a nominated operational entity (DOE) with other project related documentation when a request for registration is proposed. The DOE is required to validate the authorised signature corresponding to each project participant before these details are submitted to the secretariat in the MoC form (see paragraph 8 above).



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13. ***For registered projects where an updated MoC is required:*** In cases where a change to the existing MoC is needed (see paragraph 11 above), project participants shall complete an MoC form (F-CDM-MOC) which will be submitted duly signed by the nominated focal point for communicating with the Board. The secretariat shall perform the corresponding due diligence process on each new entity to be added as a project participant as defined in paragraph 8 above.

C. Operational guidance

14. **Restricted availability of sensitive information in Moc statements on the project page:** Specimen signatures, contact details and other personal information of individuals shall be available only to project participants, focal points, DOEs, members of the Board of the CDM and secretariat staff due to the potential exposure to the risk of external fraud and misuse of personal information contained in an MoC document.

15. Implementation of the F-CDM-MOC form:


- (a) **New submissions:** the F-CDM-MOC form shall be used for any new submission of an MoC statement at both pre- and post-registration stages (see paragraph 12 and 13 above). The form will be made available on the UNFCCC CDM website.
- (b) **Electronic form and signatures:** the secretariat shall implement the required tools, systems and interface in order to facilitate the management of submission and changes of the F-CDM-MOC form through the CDM Information System.

16. The secretariat shall display the effective date of the updated MoC contained in the F-CDM-MOC form on the corresponding project's view page.



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F-CDM-Modalities of Communication

 Modalities of Communication Form F-CDM-MOC	
<i>This form is to be used by project participants in order to submit the statement of Modalities of Communication.</i>	
Date of submission:	day/month/year
SECTION 1: PROJECT DETAILS	
1. Title of the CDM project activity:	
2. Please state project ID Number if available:	
3. List of project participants:	
Official name: Representative: (Mr./Ms.) Phone number: Fax number: Email: Address: Specimen signature: Party (country) that authorized participation:	
Official name: Representative: (Mr./Ms.) Phone number: Fax number: Email: Address: Specimen signature: Party (country) that authorized participation:	



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Official name:		
Representative: (Mr./Ms.)		
Phone number:		
Fax number:		
Email:		
Address:		
Specimen signature:		
Party (country) that authorized participation:		
(Please add more rows as required)		
SECTION 2: NOMINATION OF FOCAL POINTS		
3. Details of the entity/ies nominated as focal point		
Name of the entity:		
This entity is nominated as focal point for:	Sole	Joint
(a) Communication with the secretariat and CDM EB on any matter for registration and/or issuance purposes:	<input type="checkbox"/>	<input type="checkbox"/>
(b) Authority to instruct the secretariat and communicate with the CDM EB on allocation/forwarding of CERs:	<input type="checkbox"/>	<input type="checkbox"/>
(c) Authority to request the addition of project participants and/or to communicate any voluntary withdrawal, and to update contact details of project participants (includes changes in company's name and legal status, addresses, etc.):	<input type="checkbox"/>	<input type="checkbox"/>
Contact details:	Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/>	
Last name:	Telephone:	
First name:	Fax:	
Email:	Address:	
Specimen signature:		
Name of the entity:		
This entity is nominated as focal point for:	Sole	Joint



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(a) Communication with the secretariat and CDM EB on any matter for registration and/or issuance purposes:	<input type="checkbox"/>	<input type="checkbox"/>
(b) Authority to instruct the secretariat and communicate with the CDM EB on allocation/forwarding of CERs:	<input type="checkbox"/>	<input type="checkbox"/>
(c) Authority to request the addition of project participants and/or their voluntary withdrawal and update contact details (includes changes in company's name and legal status) and any related communication:	<input type="checkbox"/>	<input type="checkbox"/>
Contact details:	Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/>	
Last name:	Telephone:	
First name:	Fax:	
Email:	Address:	
Specimen signature:		
(Please add more rows as required)		
5. Statement of agreement:		
This statement shall bind all project participants and will be valid until a superseding statement is submitted to the CDM Executive Board and the UNFCCC secretariat at the address below by the designated focal point in section 3.(a) of this form. By signing below, all project participants confirm that they agree to the terms of this agreement on a voluntary basis.		
For Project participant:	For Project participant:	
For Project participant:	For Project participant:	

(Please add more rows as required).